

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>APPLICATION OF AMERICAN PUBLIC</b>	<b>)</b>	
<b>COMMUNICATIONS, INC. TO</b>	<b>)</b>	
<b>OPERATE AS A RESELLER OF</b>	<b>)</b>	<b>CASE NO. 90-277</b>
<b>INTEREXCHANGE TELECOMMUNICA-</b>	<b>)</b>	
<b>TIONS SERVICES AND OPERATOR</b>	<b>)</b>	
<b>SERVICES WITHIN THE STATE OF</b>	<b>)</b>	
<b>KENTUCKY</b>	<b>)</b>	

**O R D E R**

On October 23, 1990, American Public Communications, Inc. ("APC") filed its application with the Commission seeking a Certificate of Public Convenience and Necessity to provide interexchange telecommunications services and operator services in Kentucky.

On October 15, 1990, the Commission ordered APC to file additional information. However, the information provided was not adequate nor responsive to the Order. Therefore, at staff's request, APC filed an addendum to its response. The addendum was still not responsive to the Commission's Order. On January 18, 1991, the Commission ordered APC to file additional information and clarify its proposed tariff. APC filed its response on March 19, 1991. However, after two Commission Orders, APC has still failed to respond to the concerns and questions addressed in the Orders. In particular, APC's proposed tariff neither complies

with the Commission Orders nor is it in compliance with the Administrative Case No. 330<sup>1</sup> orders.

IT IS THEREFORE ORDERED that within 10 days from the date of this Order, APC shall file the original and ten copies of a complete proposed tariff in compliance with the Order dated March 27, 1991 in Administrative Case No. 330. The proposed tariff shall be revised as follows:

1. Refer to Section 2.8 of the Original Sheet 9 of the proposed tariff provided on March 19, 1991. This Section refers to Section 3.4.7; however, the proposed tariff does not have such section. Clarify.

2. Refer to Sections 2.8(2) and 4.1.1.A of the proposed tariff filed on March 19, 1991. Reconcile these two sections into one section.

3. Refer to Section 2.8(2) and 4.1.1.A of the proposed tariff. The rate provided is not in compliance with the Administrative Case No. 330 Orders. Furthermore, it does not include rates for other types of services. Provide a revised tariff sheet which includes rates for collect station to station, station to station (non collect), person to person, collect person to person, customer dialed credit card. These rates shall be in compliance with the Administrative Case No. 330 Orders.

4. Refer to Section 3.4 of the proposed tariff. The requirements of Administrative Case No. 330 are applicable to all

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<sup>1</sup> Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services.

non-local exchange carrier operator services. Provide revised tariff sheets clarifying that these restrictions apply uniformly to all operator-assisted services.

5. Refer to Section 3.4.1 of the Original Sheet 11 of the proposed tariff. This section shall be revised to include the non- collect calls also.

6. Refer to Section 4.1.1 of the proposed tariff. This section shall be revised to clearly address the blocking/ interception prohibition requirements to both competing carriers' operators and local exchange companies' operators. Furthermore it shall have the provision regarding the violator of these provisions and tent card/sticker display. Provide a revised tariff sheet in complete compliance with ordering paragraphs 3(c), 3(d), and 3(f) of the March 27, 1991 Order in Administrative Case No. 330.

7. Refer to Section 4.1.1.B of the proposed tariff. Provide a revised tariff sheet in compliance with ordering paragraph 3(a) of the March 27, 1991 Order in Administrative Case No. 330.

Done at Frankfort, Kentucky, this 19th day of April, 1991.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director